

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, February 24, 2014 at Town Hall, 254 Main St, Highland Falls, at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Adrienne T. Voltaire	----	Council Member
	Justin Rider	----	Counsel
	Kelly Blauvelt	----	Comptroller
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

Supervisor Livsey asked for a moment of recollection for James Bailey and John Whiffen, two prominent residents that passed away recently. The Supervisor said a memorial service was held for Mr. Bailey and one will be held for Mr. Whiffen, past Chief of Police, in the spring and the Supervisor would like the flags at the Police Station and Town Hall to be put at half staff for that.

INTRODUCTION -NEW ENGINEERING FIRM (Fusco)

Supervisor Livsey introduced John Nosek from Fusco Engineering.

Mr. Nosek said he was happy to be able to be working for the Town.

Supervisor Livsey said the new engineer recently toured the Sewer Plant and will make some suggestions of what should be done down there. The Engineer will begin working on the MS-4 report and looking at grants.

PUBLIC COMMENT

James DiSalvo, Orange County Legislator, said that Mr. Bailey and Chief Whiffen were both good guys.

Mr. DiSalvo questioned the Town Board about the statement Mayor Flynn made at his last meeting. Mr. DiSalvo stated that the Mayor informed everyone that the consolidation of Highway Departments should be finished by June or July and Mr. DiSalvo asked the Supervisor how many meetings were held about this.

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Supervisor Livsey said that the only meeting the Town has attended was with the State to get information on the process of consolidation. The Supervisor said he has been waiting for the Mayor to set up a meeting and stated that he has had no contact with the Village since that initial meeting. The Supervisor said that if the consolidation is something that will benefit the residents then he is all for it.

Mr. DiSalvo said there is no reason the communication is not better between the Village and Town.

Supervisor Livsey said a more reasonable expectation for consolidation would be January 2015.

MINUTES

Council Member Edsall made a motion seconded by Council Member Voltaire to approve the minutes from the February 10, 2014 meeting.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

COMMUNICATIONS

Supervisor Livsey received a letter from James Voltaire complaining about the inadequate lighting of the flag at Patriot Garden. The Supervisor suggested taking the flag down until proper lighting can be installed.

Council Member Edsall said there is no law about lighting, it is just protocol, and he has spoken to Mr. Voltaire about this.

Supervisor Livsey said if Vision believes the lighting is adequate, they could send Mr. Voltaire a letter.

Supervisor Livsey received an invitation to attend the Mid-Hudson St. Patrick's Parade and breakfast on March 16.

Supervisor Livsey received an invitation to attend the Chabad of Orange County's Benefit Gala celebrating a Decade of Dedication on March 26.

Supervisor Livsey received notification from the Hudson River Foundation of some seminars that are coming up.

Supervisor Livsey received a letter from Wayne Kocher outlining the effects of cell towers and their radiation.

Supervisor Livsey received a violation from the Orange County Department of Health because a water test had not been submitted for October-December 2013. The Supervisor has been informed that this has been taken care of.

FINANCIAL REPORTS, REQUESTS & RESOLUTIONS**Accounts Payable:**

Supervisor Livsey stated that the Water District #2 payments were \$2,602.40 and the General payments were \$192,397.23.

AUD Update:

Ms. Blauvelt said the AUD report is 32% complete.

Salary Schedule Amendment:

Supervisor Livsey said that when Pat Patterson was hired as the new Highway Supt. he was promised the 2% raise that the other employees would be receiving in the new year. The Supervisor would like the Board to amend the salary schedule to reflect this raise.

Council Member Stradley made a motion seconded by Council Member Voltaire to amend the salary schedule to reflect the Highway Supt.'s salary to be \$70,380 and to have it be retroactive to the beginning of the year.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

BOARD REPORTS**Council Member Edsall:**

Council Member Edsall said there were quite a few people at the sewer plant for the walk through. Mr. Edsall said besides himself and the Supervisor, there was the Highway Supt., both Sewer Plant Operators, the electrician, Al Fusco and John Nosek from Fusco Engineering. Mr. Edsall said the plant is 30 years old and not much has been spend on it. Mr. Edsall said that, with the bond coming to an end, it might be a good time to look at doing something down there.

Council Member Edsall said there is a house on Center Street that has been an issue for many years and nothing has been done. Mr. Edsall said the Village is now considering demolishing this structure. Mr. Edsall said both the Town and Village Boards should have been more pro-active with this problem.

Supervisor Livsey explained that the Building Department is paid by the Town and Village and the Village has say over the department also.

Council Member Stradley:

No report.

Council Member Gunza:

Council Member Gunza said she, Supervisor Livsey, Capt. Stroppel and Chief Quinn had a very good meeting on communications. Ms. Gunza said issues are being addressed.

Council Member Gunza reported that the Ambulance Corps is working very hard.

Council Member Voltaire:

Council Member Voltaire was asked by the Assessor to remind everyone that the deadline to apply for exemptions is March 1.

Council Member Voltaire said that at the last meeting a resident asked if a couple of properties that belong to the Village were off the tax rolls. Ms. Voltaire said she has been told that the KofC Hall is off the tax rolls.

Supervisor Livsey said he spoke to the Village clerk and discussed reimbursement for what has already been paid.

Council Member Voltaire further reported that Bog Meadow is exempted by the County yearly and has been permanently exempt from the Town since about 1991. Ms. Voltaire said that property still has school taxes, but the Town has no control over that.

Council Member Voltaire said Tierney Scott is working with Time Warner Cable to get new microphones. Ms. Voltaire said Ms. Scott is attempting to tape this meeting and there will be a link to YouTube through the new website to watch the meetings.

Council Member Voltaire said the new website is being worked on.

Highway Department:

Mr. Patterson thanked his employees and asked the residents if they see a Highway or Sanitation worker to thank them for their hard work during this very difficult winter.

SUPERVISOR'S REPORT

Supervisor Livsey asked the residents to be patient during this hard winter. The Supervisor said this winter is killing the Town's budget. The Supervisor stated that he held a Department Head meeting and discussed the budget. The Supervisor said the Department Heads were informed that the Board is going to be stricter this year and that they should keep track of their budget using the reports that the Comptroller provides each month.

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Supervisor Livsey said he asked Ms. Blauvelt to transfer ½ of the School Resource Officer's salary into the A-fund. The Supervisor feels that the school should be responsible for the other half of the money. The Supervisor asked Council Member Voltaire to bring this up at the School Board meeting.

OLD BUSINESS

New Computer:

Ms. Blauvelt explained that 5 computers need to be replaced and only 2 are budgeted for. Ms. Blauvelt stated the reason these computers need to be replaced is because Windows XP is no longer going to be supported and the Town will not be protected from viruses. Ms. Blauvelt said budget transfers will need to be done at a later date to pay for these.

Council Member Gunza made a motion seconded by Council Member Edsall to allow the Comptroller to expend up to \$3,879 to purchase the new computers.

**MOTION CARRIED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

Supervisor Livsey said he would like the Board to allow Ms. Blauvelt and Council Member Voltaire to dispose of the old equipment as they see fit.

The Board was okay with that.

EMS Building Damage:

Supervisor Livsey reported that the Emergency Services Building has damage due to the snow and ice. The Supervisor said this has been reported to the insurance and they have recommended that the Town get an estimate before filing an official claim because the deductible is \$2,500.

State Comptroller Bulletin:

Supervisor Livsey said he just read in the bulletin that in the Town of Fishkill the Senior Center Program Manager has been accused of misusing funds. The Supervisor said this is why the Town keeps a close eye on the funds.

GENERAL BUSINESS

Supervisor Livsey said he has a contract from Fusco Engineering.

Mr. Rider said the Fusco Engineering has made the modifications requested and sent the contract back.

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Council Member Edsall made a motion seconded by Council Member Stradley to authorize the Retainer Agreement for Fusco Engineering & Land Surveying, P.C. for Town Engineering.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Town Zoning Amendment – Fitness Center:

Council Member Edsall said the Planning Board has an application from someone who wants to put a fitness center in Fort Montgomery. Mr. Edsall said this type of facility is not listed in the Town Code and the Planning Board will petition the Town Board to change that.

Mr. Rider said the Board will not be acting on this tonight, but he would be able to prepare a Local Law for the next meeting if the Board so desires.

Supervisor Livsey asked Mr. Rider to prepare the local law.

Council Member Edsall said he has 2 copies of the drawing for the fitness center.

Drive-on Lift Funding:

Supervisor Livsey said that the lift at the Highway Garage had been inspected and the inspector has recommended that the lift be replaced. The Supervisor said the cost for the new lift is \$85,000 and both he and Mr. Patterson feel this is the best thing to do.

Mr. Patterson showed the Board the difference between the metals for the old lift and the new lift and explained about the weight limit and size of the trucks.

Supervisor Livsey said there are 2 reserve funds that the money can be taken from and he suggests that \$90,000 be taken out for any extras that may come up.

Council Member Edsall asked if there were any other lifts that meet this requirement and if the lift would be transportable.

Mr. Patterson stated that there were no other lifts and that the new lift would be able to be transported to another location.

Mr. Rider advised the Board that this would be subject to a Permissive Referendum.

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Council Member Edsall made a motion seconded by Council Member Voltaire to authorize expenditures from the Sanitation Vehicles Capital Reserve Fund and the Highway Repair Equipment Fund totaling \$90,000 for the purchase of drive on lift equipment.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Police Vacancies:

Supervisor Livsey said Chief Quinn would like the Board to approve him to fill 2 vacant positions.

Chief Quinn explained that he has 2 vacancies and 1 more coming. The Chief explained that he has a candidate in mind that is in Phase 2 of the academy and will not be ready until the summer.

Supervisor Livsey asked the Chief to provide the Board with applications at least a week before the meeting so the Board has time to review them and to have the Officer come to the meeting to answer any questions the Board may have.

PUBLIC COMMENT

Merv Livsey commended the Town and Village crews for their hard work this winter. Mr. Livsey said he is concerned with the big pile of snow at the top of Mountain Ave because if there is a heavy rain it may cause flooding to the residents that live on the brook. Mr. Livsey said the Disaster Preparedness Committee should be prepared to deal with something like this.

Council Member Gunza said the Disaster Preparedness Committee meets every 4-5 weeks, but they do not do sand bags.

Supervisor Livsey said he spoke to Mr. Patterson and he is prepared to address these issues in the Town. The Supervisor suggested the Disaster Preparedness Committee could ask Mr. Hurst if the Village has sand bags.

Mr. Patterson said he has sand bags, some filled and some empty, and he is trying to get more to be better prepared.

ADJOURN

Council Member Edsall made a motion seconded by Council Member Stradley to adjourn the meeting. Meeting adjourned at 8:07pm.

RESOLUTION

OF

FEBRUARY 24, 2014

A RESOLUTION OF THE TOWN BOARD
AUTHORIZING RETAINER
AGREEMENT: TOWN ENGINEERING

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Stradley**.

WHEREAS, the engineering firm of Fusco Engineering & Land Surveying, P.C. (“Fusco”), has offered to provide engineering services to the Town in accordance with the Agreement attached hereto as Exhibit A (the “Agreement”); and

WHEREAS, the Agreement provides a schedule of fees for the associated services; and

WHEREAS, the Agreement constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act; and

WHEREAS, the Town Board has reviewed the terms and conditions of the aforesaid Agreement and finds the Agreement acceptable.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town of Highlands Supervisor is hereby authorized to enter into for and on behalf of the Town of Highlands, the Agreement with Fusco.
2. That the Supervisor is hereby authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, agreements, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and agreements.
3. That the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and Adopted at a meeting of the Town Board, Town of Highlands, on February 24, 2014.

June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 24, 2014

A RESOLUTION TO AUTHORIZE
EXPENDITURE FROM THE
SANITATION VEHICLES CAPITAL RESERVE FUND
AND THE HIGHWAY REPAIR EQUIPMENT RESERVE FUND
FOR DRIVE ON LIFT EQUIPMENT

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-c of the General Municipal Law of New York State heretofore established certain capital reserve funds (i) for the repair of sanitation equipment known as the Sanitation Vehicles Capital Reserve Fund; and (ii) for the repair of highway equipment known as the Highway Repair Equipment Reserve Fund; and

WHEREAS, the Town Board desires to authorize the expenditure of an amount not to exceed NINETY THOUSAND AND 00/100 DOLLARS (\$90,000.00) from said capital reserve funds in an equal proportion to finance the acquisition of drive on lift repair equipment including a 35,000 pound drive on lift with 25 foot deck, rolling jack beams and a single phase electric motor for utilization by the highway and sanitation departments.

NOW, THEREFORE, BE IT RESOLVED, an expenditure not to exceed the sum of NINETY THOUSAND AND 00/100 DOLLARS (\$90,000.00) is hereby authorized from the Sanitation Vehicles Capital Reserve Fund and Highway Repair Equipment Reserve Fund in equal proportion for the purchase of a 35,000 pound drive on lift with 25 foot deck, rolling jack beams and a single phase electric motor; and

BE IT FURTHER RESOLVED, that the foregoing resolution is adopted subject to permissive referendum

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and Adopted at a meeting of the Town Board, Town of Highlands, on February 24, 2014.

June Patterson, Town Clerk